

[25th July, 2000]

RAJYA SABHA

LAW, JUSTICE AND COMPANY AFFAIRS (SHRI ARUN JAITLEY) (a) and (b) The information is not maintained in this Department. The information sought relates to cases pending in courts & is connected with the discharge of judicial functions. However the information will be sought from the High Courts & will be laid on the Table of the House

(c) No. time limit has been prescribed by law for courts to decide dowry death cases.

(d) Both the Government and the judiciary are concerned with the pendency of cases including cases relating to dowry death. Various steps are being taken in this regard. These include amendment of the Code of Criminal Procedure increase in the number of Judges/Judicial Officers appointment of Special Judicial/Metropolitan Magistrates etc

Simplification of legal procedure

†262 **SHRI KRIPAL PARMAR:** Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether Government have conducted any study regarding existing Judiciary Code of Criminal Procedure and legal proceedings,

(b) if so, the details thereof, State-wise,

(c) the reaction of Government and the Judiciary in this regard,

(d) whether there is any proposal to simplify these and to give them a new shape to make Judiciary more popular so that masses can approach it; and

(e) if so, the details thereof?

THE MINISTER OF STATE OF THE MINISTRY OF INFORMATION AND BROADCASTING AND THE MINISTER OF STATE OF THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI ARUN JAITLEY) (a) to (b) The Law Commission and various other bodies like Arrears Committee (Malimath Committee) have been conducting studies on various issues regarding the judicial system, and legal & judicial reforms from time to time. Recently the Law Commission undertook a comprehensive review of the Code of Criminal Procedure and submitted its 154th Report making several recommendations with regard to speedy disposal of cases. Keeping in view these recommendations, the Criminal procedure code (Amendment) Bill, 1994 was prepared and is under the consideration of the Parliament. Further, the Code of Civil Procedure (Amendment) Act 1999 has been passed by the Parliament

†Original notice of the question was received in Hindi

In view of the recommendations made by the Commission/Committee, the Government have been taking appropriate measures periodically. These measures include simplification of legal proceedings for speedy disposal of cases, computerization in Courts appointment of Special Magistrates and review of the strength of judges from time to time. These measures will go a long way in expediting disposal of cases & making the courts more user friendly.

The Government is also encouraging alternative modes of dispute resolution such as arbitration, mediation and conciliation. Lok Adalats have been given a statutory base with the enforcement of the legal Services Authorities Act, 1987, as amended, w.e.f. 9.11.1995. Lok Adalats have proved to be effective and successful supplementary forum for resolution of disputes.

Cases Pending with income tax appellate Tribunal

263. SHRI PRAFUL PATEL: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) the number of cases pending with Income Tax Appellate Tribunal as on date;

(b) the number of cases where amount exceeds Rs. 1 crore or more;

(c) whether Government are contemplating early disposal of the same to avoid loss of revenue and harassment of the assesses involved; and

(d) the steps to be taken in this regard and time-frame any thereof?

THE MINISTER OF STATE OF THE MINISTRY OF INFORMATION AND BROADCASTING AND THE MINISTER OF STATE OF THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI ARUN JAITLEY): (a) The number of cases pending with Income-tax appellate Tribunal as on 1.7.2000 is 2, 61,317.

(b) to (d) Income-tax Appellate Tribunal does not maintain any consolidated/ common record of the appeals regarding the amount involved in each appeal. However in order to reduce the pendency of the appeals, the Government has sanctioned 15 additional Benches. Of these, ten benches have started functioning. Appointment of Members to fill the vacancies have already been taken up. 19 Members are in the process of joining. Remaining vacancies have already been advertised.